

# EPA Seeks Public Comments on Two Class I Commercial Injection Well Permits

# Republic Services

Ottawa County, Michigan

April 2025

## **Public Comment Docket**

You may comment in writing on the draft permits – refer to: MI-139-1I-C009 and MI-139-1I-C010.

Submit your comments, identified by Docket ID No. EPA-R05-OW-2025-0168 at <u>https://www.regula-</u> tions.gov/docket/EPA-R05-OW-2025-0168

If you are unable to submit electronically to the docket, please call William Tong at 312-886-9380 for instructions on how to comment.

### **Public Comment Period**

EPA will accept written comments until midnight May 20, 2025. EPA will hold a hearing if it determines that there is significant public interest in the draft permits based upon submitted requests. If a public hearing is scheduled, a notice of the hearing will be published at least 30 days in advance.

You may see the draft permits at: https://www.epa.gov/node/88753#publi c-notices

#### **Administrative Record**

To request review of the Administrative Record files, please contact **William Tong** (*see above*). All data submitted by the permit applicant is available as part of the Administrative Record.

#### **Right to Appeal**

You have the right to appeal any final permit decision if you make an official comment during the comment period or participate in a public hearing. (A public hearing is not planned at this time.) The first appeal must be made to the Environmental Appeals Board.

To learn more about EPA's Underground Injection Control program, or to join our mailing list visit https://www.epa.gov/node/88753#publi

https://www.epa.gov/node/88753#publi <u>c-notices</u>



The above map shows the locations of the two proposed injection wells in Ottawa County, Michigan

The U.S. Environmental Protection Agency (EPA) tentatively plans to issue permits for two Class I commercial injection wells for the Republic Services, Ottawa County Farms Landfill, 15550 68<sup>th</sup> Ave., Coopersville, MI 49404. Republic Services is seeking to replace their existing Class I permits with Class I commercial permits which would authorize Ottawa County Landfill to receive non-hazardous waste from sources other than the landfill for injection disposal. EPA will consider all comments it receives, and then issue a final decision along with a response to the significant comments.

**Protection of Underground Sources of Drinking Water:** The Safe Drinking Water Act requires EPA to regulate injection of fluids through wells to protect the quality of underground sources of drinking water ("USDWs"). A USDW is an aquifer or part of an aquifer that contains water with less than 10,000 milligrams per liter of total dissolved solids. In the two-mile radius Area of Review around each well site, the base of the deepest USDW is 472 feet below the surface – the Marshall Formation. Issuing permits is one way EPA protects USDWs. Federal regulations require Class I wells to inject waste into an area below the deepest underground source of drinking water. All Class I wells must be cased and cemented to prevent the movement of fluids into or between underground sources of drinking water. You may find the regulations governing underground injection wells at Title 40 of the Code of Federal Regulations, Parts 124, 144, 146, and 147.

**Site geology:** The injection zone for the two wells (IW-1 and IW-2) includes the Trenton Formation, Black River Formation, Prairie du Chien Group, Trempealeau Formation, Franconia Formation, Galesville Formation, Eau Claire Formation, and Mount Simon Sandstone. The immediate overlying confining zone is the Utica Shale at a depth of 4,312 feet. There are adequate confining layers between the injection zone and the deepest source of drinking water to prevent the movement of injected fluids into USDW.

**Facility Background:** Republic Services constructed Well IW-1 in 2022 under EPA permit #MI-139-1I-0007. EPA permitted construction of well IW-2 (permit #MI-139-1I-0008) in 2022, but Republic Services has not yet constructed the well. The current permits authorize injection limited to landfill leachate and other non-hazardous fluids generated at the Ottawa County Farms Landfill. The draft permits would expand fluids eligible for injection to include Class I non-hazardous waste fluids from sources other than the landfill. The construction design of the injection wells meets the regulatory criteria of 40 C.F.R. §146.22.

**Area of Review (AOR):** The AOR is a circle of 2-mile radius from each injection well borehole. There are no other deep wells that penetrate the confining zone within the composite AOR of the existing and permitted but not yet constructed injection wells. Both wells were subject to independent technical review regarding their construction design and geologic siting conditions under the UIC regulations. Due to adequate well designs and characteristics of the site geology, EPA previously concluded, with a prior public participation process, that neither well poses a risk of endangerment to USDW and will not negatively affect the other during injection operations.

**Maximum Injection Pressure:** EPA has set a limit on injection pressure to prevent fracturing of the injection zone rock formation. The maximum allowable injection pressure for each well was calculated by EPA by factoring the depth of the injection zone, the highest specific gravity of the injected fluid, and the fracture gradient of the rock formation. The formula appears on Page A-1 of each draft permit.

**Financial Assurance:** Republic Services has demonstrated adequate financial resources to plug and abandon these wells, by way of a surety bond in the amount of \$129,500 for each well, established with the State of Michigan.

**Intent to Issue Permits:** Review of the permit applications indicate no significant environmental impacts should result from issuing the permits and the wells as permitted will not pose a risk of endangerment to USDWs. In accordance with the Safe Drinking Water Act and attendant regulations published by EPA under Title 40 of the Code of Federal Regulations at parts 124, 144, 146, and 147, EPA intends to issue a permit for each of the wells. Upon issuance of final, effective permits MI-139-1I-C009 and MI-139-1I-C010, EPA will revoke permits MI-139-1I-0007 and MI-139-1I-0008. Part C of the SDWA specifically mandates regulation of the underground injection of fluids through wells to assure that the quality of the underground sources of drinking water is protected. Section 1421 of the SDWA requires the EPA to administer underground injection control (UIC) programs in the states which do not have approved UIC programs. Michigan has not acquired primacy over the UIC program for Class I injection wells, therefore EPA is administering the permit program pursuant to regulations at 40 C.F.R. Part 147.